

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JEFFREY KUHNS,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 08-1145
)	Chief Judge Donetta W. Ambrose /
COMMISSIONER OF)	Magistrate Judge Amy Reynolds Hay
SOCIAL SECURITY,)	
)	
Defendant.)	

MEMORANDUM ORDER

AND NOW, this 11th day of August , 2009 , after the Plaintiff, Jeffrey Kuhns, filed a Complaint [Doc. 3] in the above-captioned case, and after Motions for Summary Judgment [Docs. 9, 12] were filed by both parties, and after a Report and Recommendation [Doc.15] was filed by the United States Magistrate Judge granting the parties until August 10, 2009 to file written objections thereto, no objections have been filed. Upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Motion for Summary Judgment filed by the Defendant Judgment [Doc. 12] is DENIED, and that the Motion for Summary Judgment filed by the Plaintiff [Doc. 9] is GRANTED to the extent that this matter is remanded to the Commissioner for a full and fair analysis of the Plaintiff's claims, and, if necessary, further development of the record pertaining to the Plaintiff's mental impairments.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules

of Appellate Procedure, if the Commissioner desires to appeal from this Order, he must do so within thirty (30) days by filing a notice of appeal as provided in Fed. R. App. P. 3.

A handwritten signature in black ink, reading "Donetta W. Ambrose", is written over a horizontal line.

Donetta W. Ambrose
Chief United States District Judge

cc: Counsel of record by Notice of Electronic Filing